IN THE DISTRICT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

Transmittal Letter to:

Clerk US District Court United States Courthouse 299 East Broward Boulevard Fort Lauderdale, FL 33301

Date	e: 12/27/00	
USA	vs. Ricky M	Moten
Our	Case#: 3:00	n273

Your Case#: 00-6343

Attached herewith are Magistrate papers in connections with the above-referenced defendant. These papers include:

- (x) Copy of Courtroom Minutes
- (x) Commitment to Another District
- () Order Holding Defendant to Answer
- (x) Waiver of Rule 40 Hearings
- () Order of Detention Pending Trial
- () Appearance Bond
- () Order Setting Conditions of Release
- () CJA/23 Financial Affidavit
- (x) CJA/20 Appointment of Counsel
- (x) Other: Docket Sheet

Please acknowledge receipt of these papers by signing the duplicate of this letter and returning the same to me.

Return to:

Clerk, U.S. District Court Western District of North Carolina 401 West Trade Street, Room 218 Charlotte, NC 28202

Attn: MICHELLE ANDERTON

Enclosures



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Deputy Clerk

Enclosures

cr-06343-WJZ Document 39 Entered on FLSD Docket 01/02/2001

Ricky	Moten		

DEFENDANT			CASE NUMBER	
locke Bell		3:00M273		
DEFENSE COUNSEL [X appoint	ed []retained MAGISTI	RATE CASE N	UMBER	
Date Filed: [Indictment:		? 4 0	Date Arrested: Date Bond Set:	********
Counts:		FL		
Section:			Detention Hearing	Set:
INITIAL APPEARANCE HEADIN	MG: Dute: 12 . 2 - 00	Time: 22 5	5 10 230	Division: 0419-3
INITIAL APPEARANCE HEARIN Counsel present: Deft;	Govi: Tompkin	Judge	HOEN	Court Reporter: TOB
Defendant received cc: Indictmen Defendant understands right to couns CJA/23: Defenda Government moves: Notes:	sel: [Myes Ino. Defe nt sworn:	ndant requests o	court-appointed cou I []Denied.	insel:

PROBABLE CAUSE HEARING: Counsel present: Deft:	Govern	Time:	to	Division:
Government Witnesses	00/1.	Judge.	Defense Witnesses	Coun Reporter.
1)		1)		
2)		2)		
3)		3)		
Government Exhibits			Defense Exhibits	
D		1)		
2)		2)		
3)		3)		
Court Finds Probable Cause: [JYE				
**************************************	**************************************	Time: 3 15	**************************************	**************************************
DETENTION HEARING: Counsel present: Deft: Lock: 194	Gover Back in	mine	در رن (ن کر کرد	Court Reporter: May 1 4214
Government Witnesses	CONT. DELLA CIE	Defense With	nesses	count reporter.
D				
2)		2)		 -
3)		3)		
Government Exhibits Lt+ within	113 eductity Ring	Defense Exh		
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1) Lhi consorto le	deto rement hay	3)		
Detention Ordered: []YES []	NO Bond Set at:			
ARRAIGNMENT: Counsel present: Deft:	Govi:	Indoe:		Court Reporter:
Plea:		30056		
Not Guilty - Jury Trial Requested Not Guilty - Jury Trial Waived Guilty as to Counts: Noto Contendere:	j 1		DATE AND PLA	CE SET FOR TRIAL:

CLOSED

U.S. District Court Western District of North Carolina (Charlotte)

CRIMINAL DOCKET FOR CASE #: 00-M -273-1

USA v. Moten Case Assigned to: Magistrate Judge Carl Horn, III Dkt# in other court: None Filed: 12/13/00

RICKY MOTEN
defendant

Locke Bell [COR LD NTC cja] P.O. Box 481 Gastonia, NC 28053 USA 704/867-7686

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

Proceedings include all events. 3:00m 273-1 USA v. Moten

CLOSED

RICKY MOTEN

defendant

USA

plaintiff

U. S. Attorneys:

NONE

cr-06343-WJZ Document 39 Entered on FLSD Docket 01/02/2001 P

Proceedings incl 3:00m 273-1 USA		CLOSED
12/13/00	ARREST (Rule 40 **FL) of Ricky Moten (tob) [Entry date 12/15/00]	
12/13/00	Initial Appearance as to Ricky Moten held; Det Hearing set for 3:30 12/18/00 for Ricky Moten (I informed of rights.) Judge: horn Court Rptr: [Entry date 12/15/00]	Defendant
12/15/00 1	CJA 20 as to Ricky Moten : Appointment of Attorn Bell (tob) [Entry date 12/15/00]	iey Locke
12/18/00	Detention Hearing as to Ricky Moten held Judge Court Rptr: mga/4714 (mga) [Entry date 12/19/00]	
12/18/00 2	WAIVER of Rule 40 Hearings by Ricky Moten (mga) [Entry date 12/19/00]	
12/18/00 3	COMMITMENT TO ANOTHER DISTRICT (Signed by Mag Judge H. B. McKnight) (mga) [Entry date 12/19/0	

cr-06343-WJZ Document 39 Entered on FLSD Docket 01/02/2001 Motor Ricks 3. MAG, DKT/DEF, NUMBER J. DIST. DK L-DET. NUMBER 5. APPEALS DKT./DEE. NUMBER 6. OTHER DKT, NUMBER 3.00.000273.001 7. IN CASE/MATTER OF (Case Name) 8. PAYMENT CATEGORY 9 IN PERPERSON REPRESENTED 10. REPRESENTATION TYPE (See Instructions) United States v. Moron Adult Defendant Commal Case 11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, but (up to fixe) major offenses charged, according to severity of offense ATTORNEY'S NAME, (First Name, M.L.), ast Name, including toy soffice AND MAILING ADDRESS. 13. COURT ORDER X O Appointing Counsel F Subs For Federal Defender C Co-Counsel R Solis For Retained Affornes Bell, R. Lucke P Subs For Panel Attorney Y. Standby Counsel 125 East Main Street Prior Attorney's Name: P.O. Box 481 Appointment Date: Gastonia NC 28053 Because the above-named person represented has testified under oath or has erwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the Telephone Number: attorney whose name appears in Item 12 is appointed to represent this person in this case. 14. NAME AND MAILING ADDRESS OF LAW FIRMunity provide per instructions) Other Reg Instructions And State of President State Locke Bell, Attorney at Law 125 East Main Street P () Box 481 Gastonia NC 28053 Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this service at time of appointment. YES NO MATH/TECH ADJUSTED HOURS MATH/TECH ADJUSTED AMOUNT TOTAL AMOUNT CLAIMED CATEGORIES (Attach itemization of services with dates) a. Arraignment and/or Plea b. Bail and Detention Hearings c. Motion Hearings d Trial e. Sentencing Hearings f. Revocation Hearings ы g. Appeals Court h. Other (Specify on additional sheets) 16. a. Interviews and Conferences b. Obtaining and reviewing records c. Legal research and brief writing d. Travel time e. Investigative and Other work (Specify on additional sheers) Travel Expenses (lodging, parking, meals, mileage, etc.) Other Expenses (other than expect. transcripts, etc.) 19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE 20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION 21. CASE DISPOSITION FROM _ TO Have suppressions applied to the court for compensation and or remindurement for this case.

1. Suppressional Payment

1. 22. CLAIM STATUS VES I swear or affirm the truth or correctness of the above statements. APPROVED FOR PAYMENT COURT LE CONTRACT COURT LE CONTRACT COURT LE CONTRACT COURT LE CONTRACT COURT COU 24. OUT OF COURT COMP. 25. TRAVEL EXPENSES 26. OTHER EXPENSES 27. TOTAL AMIL APPR CERT 28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER DATE 28a. JUDGE MAG JUDGE CODE

31. TRAVEL EXPENSES

29. IN COURT COMP.

30. OUT OF COURT COMP.

SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELFGALE) Payment approved in excess of the statutory threshold amount

33. TOTAL AMT APPROVED

JUDGE CODE

32. OTHER EXPENSES

DATE

cr-06343-WJZ Document 39 Entered on FLSD Docket 01/02/2001

U	17	/U	2	Z	U	U	1

♦ AO 466 (Rev. 9.92) Waiver of Rule 40 Hearings

	United St	ATES DISTR	ICT COU	RT	CHARLOTTE, N. C.
	Western	DISTRICT OF	North Ca	arolina	DEC 1 8 2000
UNITED STATES OF V.	AMERICA		VER OF R (Excluding	ULE 40	S. DISTRICT COURT W. DIST. OF N. C. HEARINGS on Cases)
Ricky Moten		CASE	NUMBER:	3:00M	273
I, Ricky	Moten				, understand that in the
Southern	District o	f <u>Florida</u>			, charges are pending
alleging violation of Consp	iracy (Cocaine	, crack cocaine	and marijua	na)	and that I have been
arrested in this District and take to:	n before a United S	tates Magistrate Judg	e who informe	d me of the	e charge and of my right
(1) retain counsel or request to proceedings to this district pursuif I am the person named in the information filed) to determine to be held either in this district	iant to Rule 20, Fed. charge, and (4) a p whether there is pro	R. Crim. P., in order to oreliminary examinate hable cause to belie, e	o plead guilty, ion (unless an	(3) an ident ndictment	tity hearing to determine has been returned or an
I HEREBY WAIVE (G	IVE UP) MY RIGI	HT TO A(N):			
(xx) identity hearing					
() preliminary examination					
(V) identity hearing and have	been informed I ha	ive no right to a preli	minary examin	ation	
() identity hearing but reque	est a preliminary ex	amination be held in	the prosecuting	g district	
and, therefore, consent to the is pending against me.	suance of an order	equiring my appeara	nce in the pros	ecuting dis	trict where the charge is
	60		Counsel		

cr-06343-WJZ Document 39 Entered on FLSD Docker புதி 2001

% AO 94 (Rev. 8-97) €	ommitment to			D	·om Cov	OEC 1	8 2000
		UNITED S	TATES	DISTR	ICT CO		
		Western	Distri	ct of	North Ca	U. S. DISTRI	CT COURT
UNITED	STATES O	F AMERICA				TMENT TO AND DISTRICT	
Ricky	Moten						
		NUMBER	— Т		MAGISTRAT	E JUDGE CASE NUM	BER
District of A		District of Off	ense	I	istrict of Arrest		of Offense
		00-6343	Ì	3:00	M273		
		EFENDANT ARE	BASED UPO	N AN			
💾 Indict	ment 🗆	Information [Complaint	□ Ot	her (specify)		
arging a violatio	on of 21	U.S.C. §	846,	and 841	a)(l)		
ISTRICT OF O	FFENSE	Southern Distr	ict of Fl	orida			
ESCRIPTION O	n art. n ar						
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You and defendant wand there d	re hereby c vith a certif eliver the c	ied copy of this co	e custody ommitment United State	forthwith s Marsha	to the distric	efendant and to trans of offense as specific strict or to some other gistrate Judge	ed above
			KEI	UKI			
his commitment	was received	and executed as fo	llows:				
ATE COMMITMENT	ORDER RECE	IVED	PLACE OF C	OMMITMEN	r	DATE DEFENDA	N1 COMMITTE
ATE U	NITED STATE:	S MARSHAL			BY) DEPUTY M	ARSHAL	
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O 442 (Rev. 12/85) Warram for Arrest AUSA TERRENCE J.	THOMPSON DEA S/A Doug McElvain 189-1889
	tates District Court
	CT OFFI ORIDA
INCED STATES OF ALTERIOA	·
UNITED STATES OF AMERICA V.	WARRANT FOR ARREST
٧.	e de la companya de l
RICKY MOTEN	CASE NUMBER:
O: The United States Marshal	()() = () 3 4 3 7 6 6 11
and any Authorized United States Officer	GR-ZLUCH
YOU ARE HEREBY COMMANDED to arrest	MAGISTRATE FUEX RICKY MOTENSELECTER
TOO ARE NEIGHT COMMINITIED IN BITEST	Name
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1/08/00 FRI 14:46 FAX 9544891901

DEC 13 2000 12:43 FR DEA CHARLOTTE RO 7047702051 TO 93446629

P.01/07 Ø 009

65-66.0388

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

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CASE NO.
         21 USC 841(a)(1)
         21 USC 846
         18 USC 2
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Plaintiff,
 ν,
 LINDON JOHNSON,
 a/k/a "Pablo,"
 a/k/a "Tommy",
 MOSI GRANT,
 a/k/a "Pepe,"
 a/k/a "Spanky,"
RICKY MOTEN,
 VINCENT HAUGHTON,
 a/k/e "Junior," and
 TAMEKA JOHNSON,
           Defendants.
```

U. a. B.F. - B. - a. - a.

UNITED STATES OF AMERICA,

INDICTMENT

The Grand Jury charges that:

COUNT I

From on or about September 1, 1999, through on or about March 2, 2000, the exact dates being unknown to the Grand Jury, at Broward County, in the Southern District of Florida, and elsewhere,

DEC 13 2000 12:43 FR DEA CHARLOTTE RO 12/08/00 FRI 14:46 FAX 9544891901

7047702051 TO 93446629

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LINDON JOHNSON, a/k/a "Pablo," a/k/a "Tommy", MOSI GRANT, a/k/a "Pepe," a/k/a "Spanky," RICKY MOTEN, VINCENT HAUGHTON, a/k/a "Junior," and TAMEKA JOHNSON,

did knowingly and intentionally combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury, to distribute Schedule II controlled substances, that is, at least five (5) kilograms of a mixture and substance containing cocaine and at least fifty (50) grams of a mixture and substance containing cocaine base, commonly known as "crack" cocaine, and a Schedule I controlled substance, that is, a mixture and substance containing a detectable amount of marijuana; in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

COUNT II

On or about January 16, 2000, at Broward County, in the Southern District of Florida and elsewhere, the defendants,

> LINDON JOHNSON. a/k/a "Pablo," a/k/a "Tommy", and VINCENT HAUGHTON, a/k/a "Junior,"

DEC 13 2000 12:43 FR DEA CHARLOTTE RO 12/08/00 FRT 14:45 FAX 8544891801

7047702051 TO 93446629

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did knowingly and intentionally possess with intent to distribute a Schedule I controlled substance, that is, a mixture and substance containing a detectable amount of marijuana; in violation of Title 21, United States Code, Section 841(a)(1); and Title 18, United States Code, Section 2.

COUNT III

On or about March 2, 2000, at Broward County, in the Southern District of Florida and elsewhere, the defendants,

> LINDON JOHNSON, a/k/a "Pablo," a/k/a "Tommy", MOSI GRANT, a/k/a "Pepe," a/k/a "Spanky," RICKY MOTEN, and TAMEKA JOHNSON,

did knowingly and intentionally possess with intent to distribute Schedule II controlled substances, that is, at least five (5) kilograms of a mixture and substance containing cocaine, and at least fifty (50) grams of a mixture and substance containing cocaine base, commonly known as "crack" cocaine; in violation

DEC 13 2000 12:43 FR DEA CHARLOTTE RO 12/08/00 FRI 14:47 FAX 9544891901

7047702051 TO 93446629

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of Title 21, United States Code, Section 841(a)(1); and Title 18, United States Code, Section 2.

A TRUE BILL

FOREPERSON

TERRENCE J. THOMPSON

ASSISTANT UNITED STATES ATTORNEY

12708/00 FRI 14:44 FAX 9544891801

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JENKIN's Case Timeline

Summer of 1998: JENKINS meets Lindon JOHNSON (AKA: PABLO and TOMMY).

September of 1999: JENKINS finds house located at Route 2, Box 324, Ridgeland, South Carolina, for Lindon JOHNSON to rent. JENKINS says that the phone electricity, and cable are in her name and that JOHNSON may have used an alias when he rented the house. Also at about this time JENKINS meets Lindon JOHNSON's friend Mosi GRANT (AKA: PEPE). JENKINS claims that during the course of her association with Lindon JOHNSON she sees him convert cocaine into crack cocaine at this house on 4 or 5 occasions, she also sees guns and money at the house. JENKINS says that JOHNSON is the one who converts the cocaine into crack and GRANT handles the accounting end of their drug trafficking.

November of 1999: Cadia GRITTON is approached by Vincent HAUGHTON (AKA: JUNIOR) who suggests that she transport marijuana to South Carolina for him.

December of 1999: HAUGHTON picks GRITTON up at her residence, gives her a package which she says contains cocaine, and takes her to the Hollywood train station. HAUGHTON provides GRITTON with a telephone number and description of Lindon JOHNSON who HADGHTON tells GRITTON will met hor at the train station in South Carolina. GRITTON catches a train to South Carolina where she is met by Lindon JOHNSON. Lindon JOHNSON takes her to his house where he converts the cocaine into crack cocaine. Ricky MOTON and Yvette JENKINS come to the house that night and GRITTON sees Lindon JOHNSON give MOTON crack cocaine.

Early the next morning HAUGHTON and GRANT arrive at Lindon JOHNSON's house. GRITTON said that all three had an interest in the cocaine she brought. GRITTON stays at the house for a couple of days and each day Lindon JOHNSON, HAUGHTON and GRANT go out together. GRITTON believes that they are selling the cocaine she brought up. GRITTON is paid \$1000.00 by Lindon JOHNSON and then returns to Florida with two bundles of money that Lindon JOHNSON gave her. Lindon JOHNSON tells her that this money is the money he owes people in Miami for cocainc. GRITTON arranges a met with these people (who she describes as two Heitians) and gives them the money Lindon JOHNSON gave her.

Late December of 1999: JENKINS states that she met GRITTON and HAUGHTON at Lindon JOHNSON's house (both Lindon JOHNSON and GRANT are also present).

01/16/00: A man GRITTON knows only as SASSA picks her up at her house and takes her to the Hollywood train station. On the ride to the station SASSA gives her a package containing marijuana. GRITTON is arrested at the Yemassee, South Carolina train station and 7.6 pounds of marijuana is saized from her. GRITTON states that she was supposed to meet HAUGHTON at the train station and the marijuana was HAUGHTON's and Lindon JOHNSON's.

January 2000: JENKINS says that Lindon JOHNSON tells her that HAUGHTON was at the train station waiting for GRITTON when GRITTON was arrested. Lindon JOHNSON instructs JENKINS to call the police and find out what the charges against CRITTON are and what her bond is. JENKINS said that after GRITTON was arrested ; index JOHNSON recruited her to transport drugs.

iste Canuary/Early February: JENKINS drives with Lindon JOHNSON and GRANT to Flami. Stays at Holiday Inn. Later that day they return and pick her up and \$

DEC 13 2000 12:44 FR DEA CHARLOTTE RO

12708/00 FRI 14:45 FAX 9544891901

7047702051 TO 93446629

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soda, ammonia and Ajax. After both trips JENKINS said they returned to GRANT and Tameka JOHNSON's apartment.

The next day Lindon JOHNSON and GRANT pick JENKINS up, give her a suitcase and take her to the train station. JENKINS takes the train to Savannah, Georgia, where her boyfriend MOTON picks her up. JENKINS and MOTON return to JENKINS residence where Lindon JOHNSON and GRANT are waiting and they take the suitcase that she transported. A couple of days later JENKINS goes to Lindon JOHNSON's house and she sees brown tape that had ammonia and Ajax stuck to it in the trash con. A few days later JENKINS is paid \$2000.00.

February of 2000: Lindon JOHNSON and JENKINS drive to Miami, Florida, together. Lindon JOHNSON told her during the drive that he was transporting money. Later that day Lindon JOHNSON, GRANT, and JENKINS travel to a house in Miami where Lindon JOHNSON and GRANT meet with tow other men and JENKINS, believes they gave f ci. the money at that time.

03/01/30; JENKINS arrives at Ft. Lauderdale Airport and is met by Lindon JOHNSON . J G. NT. Lindon JOHNSON and GRANT take JENKINS to hotel where a room has alroady been booked in her name. Later that evening Tameka JOHNSON and another facile take JENKINS to GRANT and Tameka JOHNSON's apartment. At the apartment JEFKINS sees Lindon JOHNSON and GRANT coming out of a bedroom with a microwave and masks on their faces that cover their mose and mouth. Shortly after this Lindon JOHNSON offers JENKINS \$2000.00 to bring a bag back to South Carolina.

(4/6.2/30: At approximately 6:00 a.m., Tameka JOHNSON calls JENKINS and tells her line. Indon JOHNSON said that she should get up and get ready. GRANT and Tameka . BHIS A pick JENKINS up at her hotel and take her to GRANT and Tameka JOHNSON's where work. During the drive there they tell JENKINS that they already dropped Clocks. JOHNSON off at the airport. At the apartment Tameka JOHNSON and JENKINS (ii. about Lindon JOHNSON and JENKINS returning in two weeks with the money they art. going to make from selling the drugs that JENKINS was going to transport. Co. I retrieves the bag containing the cocaine from the apartment he shares with Times, JOHNSON. Tameka JOHNSON stays at the apartment and GRANT drives JENKINS : . the Hollywood train station. On the way there GRANT gives JENKINS \$700.00 (0500.00 for her airline ticket and \$200.00 for her train ticket). JENKINS said : 1.4. Fineka JOHNSON had already made the reservations and given her the names there were under and a telephone number to use if she was asked for one. JENKINS in the state of the Hollywood train station and approximately 5 kilograms of and 133 grams of crack cocaine (JENKINS daughter was also with her when : r.ie this trip).

feet q an interview on May 22, 2000, JENKINS implicates her boyfriend Ricky ... JENKINS says that from September of 1999, to February of 2000, MOTON is libeting crack cocaine in South Carolina that is fronted to him by Lindon - ALLDER. JENKINS estimates that MOTON was averaging sales of \$10,000.00 per